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18 Attorneys for Defendants: California Heritage Partners, LLC., Saeed I. Khan DBA Cigarette City;  
19 Nasreen A. Khan Retail Corporation, Inc. Dba Cigarette City

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DARREN GILBERT, ) CASE NO.: 2:22-CV-01421-TLN-DB  
Plaintiff, )  
vs. ) Complaint Filed: August 10, 2022  
CALIFORNIA HERITAGE PARTNERS, ) Trial Date: Not Set  
LLC; SAEED I. KHAN dba CIGARETTE )  
CITY; NASREEN A. KHAN RETAIL )  
CORPORATION, INC. dba CIGARETTE )  
CITY; )  
Defendants. )  
\_\_\_\_\_  
JOINT STIPULATION TO SET  
ASIDE ENTRY OF DEFAULT;  
ORDER

**STIPULATION**

IT IS HEREBY STIPULATED, by and between Plaintiff, DARREN GILBERT, a corporation; (“Plaintiff”) and Defendants, CALIFORNIA HERITAGE PARTNERS, LLC; SAEED I. KHAN dba CIGARETTE CITY; NASREEN A. KHAN RETAIL CORPORATION, INC. dba CIGARETTE CITY (collectively, the “Defendants”) that:

WHEREAS, on August 10, 2022, Plaintiff filed a Complaint against Defendants in the Eastern District of California Court, Fresno Division;

WHEREAS, on September 28, 2022, Plaintiff and Defendant CALIFORNIA HERITAGE PARTNERS, LLC, entered a stipulation for Defendant’s responsive pleading to be due on October 25, 2022;

WHEREAS, on September 28, 2022, Plaintiff filed his Request for Entry of Default as to Defendants SAEED I. KHAN dba CIGARETTE CITY; NASREEN A. KHAN RETAIL CORPORATION, INC. dba CIGARETTE CITY only;

WHEREAS, on September 28, 2022, the Court, entered default of Defendants SAEED I. KHAN dba CIGARETTE CITY; NASREEN A. KHAN RETAIL CORPORATION, INC. dba CIGARETTE CITY and CALIFORNIA HERITAGE PARTNERS, LLC;

WHEREAS, STEARNS KIM STEARNS & RYAN represents all Defendants in this action;

WHEREAS, Plaintiff stipulates to set aside the defaults as to Defendants CALIFORNIA HERITAGE PARTNERS, LLC, SAEED I. KHAN dba CIGARETTE CITY; NASREEN A. KHAN RETAIL CORPORATION, INC. dba CIGARETTE CITY, with all Defendants to file a responsive pleading no later than October 31, 2022.

WHEREAS, this extension does not alter the date of any event or deadline already fixed by Court order;

THEREFORE, IT IS HEREBY STIPULATED that the September 28, 2022 entry of default as to Defendants CALIFORNIA HERITAGE PARTNERS, LLC, SAEED I. KHAN dba CIGARETTE CITY; NASREEN A. KHAN RETAIL CORPORATION, INC. dba CIGARETTE CITY be set aside,

1 with all Defendants to file responsive pleadings no later than October 31, 2022.  
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Dated: October 19, 2022

MOORE LAW FIRM, P.C.

4 */S/ Tanya E. Moore*

5 By: \_\_\_\_\_

6 Tanya E. Moore  
7 Attorneys for Plaintiff  
8 Darren Gilbert

9 Dated: October 19, 2022

STEARNS KIM STEARNS & RYAN

10 */S/ Michael J. Ryan*

11 By: \_\_\_\_\_

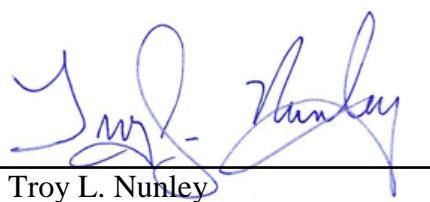
12 Michael Ryan  
13 Attorneys for Defendant  
14 California Heritage Partners, LLC

## 15 ORDER

16 IT IS HEREBY ORDERED, pursuant to the Stipulation by the parties, as follows:

- 17 1. The Request for Entry of Default entered on September 28, 2022, in the above-entitled  
18 Court against Defendants SAEED I. KHAN dba CIGARETTE CITY; NASREEN A.  
19 KHAN RETAIL CORPORATION, INC. dba CIGARETTE CITY and CALIFORNIA  
20 HERITAGE PARTNERS, LLC, is hereby vacated;  
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22 2. Defendants to file responsive pleadings no later than October 31, 2022.

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24 Dated: October 21, 2022



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Troy L. Nuhley  
United States District Judge